

10/594771  
IAP01 Rec'd PCT/PTO 29 SEP 2006

Docket No.: 1254-0326PUS1  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Hideki SHIMADA et al.

Application No.: NEW

Confirmation No.: N/A

Filed: September 29, 2006

Art Unit: N/A

For: DIAGNOSTIC KIT FOR SOLID CANCER  
AND MEDICAMENT FOR SOLID CANCER  
THERAPY

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement accompanies the new patent application submitted herewith.

WO 99/54447 and EP 1073742 correspond to DE 19818619. EP 1441766 and US Publication No. 2003/108966. US Publication No. 2004/005645 and EP 950062 correspond to WO 97/45445.

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

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A concise explanation of relevance of the items listed on form PTO/SB/08 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

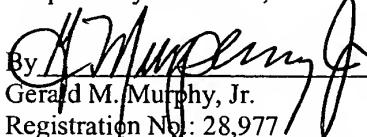
In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: September 29, 2006

Respectfully submitted,

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USPTO Rec'd PCT/PTO 29 SEP 2006

PTO/SB/08a/b (07-06)

Approved for use through 09/30/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/B/PTO				Complete If Known	
				Application Number	NEW
				Filing Date	September 29, 2006
				First Named Inventor	Hideki SHIMADA
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	1254-0326PUS1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> ( <i>if known</i> )	MM-DD-YYYY		
AA*	US-2003/0108966-A1	06-12-2003	Mather		
AB*	US-2004/0005645-A1	01-08-2004	Hanash et al.		

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> ( <i>if known</i> )	MM-DD-YYYY		
BA	DE-19818619-A1	10-28-1999			ISR
BB	WO-2003/032814-A2	04-24-2003			ISR
BC	WO-97/45445-A1	12-04-1997			ISR
BD	JP-7-51065-A	06-05-1995	review abstract only /T.D./		ISR
BE	WO-2000/60073-A1	10-12-2000			ISR
BF	WO-99/54447-A2	10-28-1999			ISR

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \*CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.58(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			

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Examiner Signature	/Minh Tam Davis/ (12/01/2008)	Date Considered	
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Birch, Stewart, Kolasch & Birch, LLP

GMM//smt

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /T.D./ (12/01/2008)